S.B. Civil Misc. Application No.182/2006
In
S.B. Civil Second Appeal No.391 of 2004

Smt. Maya & Others Versus Shri Narendra Singh & Another

Date of Order ::: 28/11/2006

Hon'ble Mr. Narendra Kumar Jain, J.

Mr. A.L. Verma, Counsel for appellants.
Mr. J.K. Singhi, Counsel for respondents

Heard learned counsel for the parties.

Counsel for the applicant-appellants has filed an application under Order 41 Rule 27 read with Section 151 of the C.P.C., to take the Certificate dated 27.06.2006 on record, wherein the date of death of the Fedric Lovel Onil has been mentioned as 06.08.1972. The present suit was filed in the year, 1982, whereas the death of Mr. Onil took place in the year 1972, but this certificate was neither placed before the Lower Court nor before the Appellate Court. The certificate further shows that date of death was registered only on 22.06.2006 after about 34 years from the date of death.

In these circumstances, I am not inclined to allow this application under Order 41 Rule 27 of the C.P.C., and the same is accordingly dismissed.

(Narendra Kumar Jain) J.